

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CR-216-2-FL
NO. 5:09-CR-216-5-FL
NO. 5:09-CR-216-8-FL

UNITED STATES OF AMERICA)	
)	GOVERNMENT'S RESPONSE TO
v.)	DEFENDANTS' MOTIONS FOR
)	BRADY/GIGLIO MATERIAL
HYSEN SHERIFI)	(D.E. 1036, 1051, 1043)
DYLAN BOYD, a/k/a)	
"Mohammed,")	
ZIYAD YAGHI)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby responds to defendants' Motions for Brady/Giglio Material, and states unto the Court:

Defendants Sherifi, Dylan Boyd, and Yaghi move the Court to compel production of all Brady and Giglio material. D.E. 1036, 1051, and 1043. None of the defendants make a specific claim as to the existence of such material; rather, the motions appear to be made to preserve their claims to such material.

The government notes that it has turned over applicable Brady and Giglio information as it has become known, to include payments and promises of leniency or other favorable treatment of cooperating witnesses and exculpatory information (namely in the form of defendants' friends' statements of the purpose of any overseas travel), and does not have a body of evidence it has withheld to spring upon defendants at a later time. Criminal

histories of testifying witnesses will be obtained and released once decisions have been made as to whether such person is testifying, much at the same time any Jencks statements are discerned and released.

For these reasons, no order compelling the government to continue appropriate and timely production of Brady and Giglio material is required.

Respectfully submitted this 20th day of June, 2011.

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CERTIFICATE OF SERVICE

This is to certify that I have this 20th day of June, 2011, served a copy of the foregoing upon counsel for the defendants in this action by electronically filing the foregoing with the Clerk of Court, using the CM/ECF:

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and further, upon defendant Anes Subasic by placing a copy postage pre-paid in first class mail addressed to: Anes Subasic, Public Safety Center, Attn: Wake County Jail, Post Office 2419, Raleigh, NC 27602.

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